

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

In Re:

LUE ELLA MEDINA

Chapter 7
Case No.: 19-47494-ess

Debtor

REPLY TO CREDITOR'S OBJECTION TO LOSS MITIGATION

NIGEL E. BLACKMAN, ESQ., herein certifies as follows:

1. I am associated with the law offices of BLACKMAN & MELVILLE, P.C., attorneys for the debtor in the above captioned matter.
2. I make this Certification in Supplement to Debtor's application for Loss Mitigation and in Reply to Creditor's objection to Debtor's application for Loss Mitigation.
3. The Debtor signed the request to enter into the Loss Mitigation Program on April 13th, 2020.
4. The application was filed to the court on April 14, 2020 and served to Planet Home Lending, LLC on April 20, 2020.
5. Creditor has caused to be filed an affirmation in Objection to Debtor's application for Loss Mitigation. See herein as **Exhibit 1.**
6. Within this document the crux of the argument for denial of loss mitigation before this court is the debtor is not eligible for loan modification review or would a loan modification be feasible since the debtor has no contractual obligation or the right to pay the debt owed.

7. In opposition to creditor's objection it is pellucidly clear that the Debtor falls within the realm of eligibility for loss mitigation for the following reasons:

- a. The court rules permit the Debtor to request loss mitigation. As stated in the Order by Chief Justice Craig, a person is eligible for loss mitigation if the property at hand is the Debtor's primary residence. Please see herein the Order as **Exhibit 2**;
- b. The debtor has a legal interest in the property. The property is also, in fact, her primary residence. Please see herein the Deed as **Exhibit 3**;
- c. The person in actual privity of contract is debtor's sister, MYRTIS ARMSTRONG. Debtor's sister has agreed to participate in loss mitigation proceedings and provide whatever documentation necessary and to execute whatever may be required by the creditor and the court.

LOSS MITIGATION WILL BE FEASIBLE

- 8. Debtor shall be acquiring contribution income from her sister, husband, and 2 other family members.
- 9. Upon information and belief the combined net income shall be sufficient for a good faith modified loan.

Dated: June 17, 2020.



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